# **EXHIBIT B**

### ANDERSON KILL P.C.

Attorneys and Counselors at Law

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#### By Hand Delivery

February 24, 2020

Clerk of the Court, Ruby J. Krajick United States District Court Southern District of New York Office of the Clerk 500 Pearl Street New York, New York 10007

Re:

Deborah Bodner et al. v. Islamic Republic of Iran, Case No.: 1:19-cv-11776 (GBD) (SN); RE: Service

Dear Clerk of the Court, Ruby J. Krajick:

I represent the Plaintiffs in the above-referenced action.

I am writing to request you effect service on the Defendant, Islamic Republic of Iran, pursuant to 28 U.S.C. §1608(a)(4), at the following address:

Minister of Foreign Affairs
Ministry of Foreign Affairs of the Islamic Republic of Iran
Iman Khomeini Avenue
Tehran, Iran
ATTN: H.E. Mohammad Javad Zarif

Service on Iran cannot be effected under 28 U.S.C. Sections 1608(a)(1) and (2) because the United States and Iran do not have any special arrangement for service of process upon Iran in accordance with sub-section (1), nor is service permitted by any applicable international convention under the provisions of sub-section (2). See Valore v. Islamic Republic of Iran, 700 F. Supp. 2d 52, 70 (D.D.C. 2010).

On January 23, 2020, Plaintiffs, through the Clerk of the Court, attempted to serve Defendant pursuant to the provision to 28 U.S.C. §1608(a)(3). Annexed hereto as **Exhibit 1**, is a copy of the certificate of mailing.

As of Monday, February 24, 2020, over thirty (30) days passed since the certificate of mailing has been issued and service had not been able to be completed

<sup>&</sup>lt;sup>1</sup> Iran is not a signatory to the convention of the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters.

February 24, 2020 Page 2

under 28 U.S.C. § 1608(a)(3). Annexed hereto as **Exhibit 2**, is a true and correct copy of the USPS tracking information of the package sent by the Clerk of the Court indicating that serve has not been made.

Accordingly please serve Defendant pursuant to 28 U.S.C. §1608(a)(4) at the following address:

U.S. Department of State SA-29, 4th Floor, 2201 C Street NW Washington, DC 20520.

Attn: Secretary of State, Director of Consular Services, Office of Policy Review and Inter-Agency Liaison (CA/OCS/PRI),

Enclosed please find copies of the following documents:

- 1. Summons
- 2. Complaint deemed filed on December 27, 2019
- 3. Civil Cover Sheet
- 4. Notice of suit prepared in accordance with 22 CF § 93.2 with a copy of 28 U.S.C. 1330
- 5. Affidavit of translator (along with translations of the above documents)<sup>2</sup>

In total, we are providing three complete sets of the documents, in both English and Farsi. In accordance with pages 12-13 of the Court's Foreign Mailing Instructions we are providing two sets for service on Defendant and a set of documents for the Court's file.

We have also enclosed pre-paid FedEx label and envelope for delivery to the address above. Please note that our firm FedEx account number is 628354049.

We further enclose a cashier's check in the amount of \$2,275.00 made payable to "U.S. Embassy Bern."

Should you have any questions or require any additional information please do not hesitate to contact me.

Regards

erry S. Goldman

**Enclosures** 

<sup>&</sup>lt;sup>2</sup> The affidavit of the translator comports with the requirements of NY CPLR 2101(b).

# **EXHIBIT 1**

	ATES DISTRICT COURT DISTRICT OF NEW YORK	· ·
BODNER ET	AL.,	
v.	Plaintiffs,	CERTIFICATE OF MAILING
ISLAMIC REPUBLIC OF IRAN,		Case No.: 19-cv-11776 (GBD) (SN)
alan kan kanara ka su kanaka kasuka sa sa kata ka sa kata ka sa kata ka sa	Defendant.	
I hereb	by certify under the penalties of perjugate	ary that on the 23rd day of January, 2020, I served:
Minist Imam Tehrar	er of Foreign Affairs ry of Foreign Affairs of the Islamic Khomeini Avenue n Iran H.E. Mohammad Javad Zarif	Republic of Iran
⊠ Sovereign Imn	the head of the ministry of foreign nunities Act, 28 U.S.C. § 1608(a)(3)	affairs, pursuant to the provisions of the Foreign
		nt filed December 27th, 2019, Civil Cover Sheet, Notice
of Suit with co	opy of 28 U.S.C. 1330; (along with a	ttached affidavit of translator and Farsi translations of
the above docu	uments), by USPS Reg. Mail no. RI	1002019305US
	-	RUBY J. KRAJICK
	(	CLERK OF COURT
		s/Shanee Mcleod Deputy Clerk

Case 1:03-md-01570-GBD-SN Document 11 Filect Case 1:03-md-01570-GBD-SN Document 6919 Cultimate 1919 Cultimate 11 Filect Case 1:03-md-01570-GBD-SN Document 1 PS Form 3806, Registered Mail Receipt Copy 1 - Customer April 2015, PSN 7530-02-000-9051 (See Information on Reverse) For domestic delivery information, visit our website at www.usps.com To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed To Be Completed
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# **EXHIBIT 2**

### **USPS Tracking**<sup>®</sup>

FAQs >

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**FAQs**